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Chair: Ms. Mejía Vélez ..... (Colombia)

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The meeting was called to order at 3 p.m.

Agenda item 68: Promotion and protection of human rights (*continued*)

(c) Human rights situations and reports of special rapporteurs and representatives (*continued*) (A/C.3/71/L.24, A/C.3/71/L.25 and A/C.3/71/L.26)

Draft resolution A/C.3/71/L.24: Situation of human rights in the Syrian Arab Republic

1. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated its principled position of rejecting politically motivated selectivity. The persistent practice of adopting country-specific human rights resolutions and special procedures violated the principles of universality, objectivity and non-selectivity. Cooperation and dialogue were the appropriate means for the effective promotion and protection of human rights. His delegation called for a continuation of the valuable progress that had been achieved since the establishment of the Human Rights Council. The universal periodic review was the most appropriate mechanism for addressing human rights issues. The Bolivarian Republic of Venezuela had therefore voted against the draft resolution.

2. **Mr. Giacomelli da Silva** (Brazil) said that his delegation had voted in favour of the draft resolution given his country's deep concern over the escalation of the conflict in Syria and the appalling human rights and humanitarian situation on the ground. The recent crisis in Aleppo was deeply alarming and Brazil looked forward to the report on the events that would be submitted by the Independent International Commission of Inquiry on the Syrian Arab Republic.

3. Brazil, with its large Syrian community, was particularly disturbed by the political polarization that had stalled negotiations and paralyzed the Security Council. The only sustainable solution to the conflict was through a Syrian-led political process that sought to create a credible, inclusive and non-sectarian leadership and to draft a new constitution in accordance with the Geneva communiqué of 2012 and the Vienna Communiqué of 2015.

4. Although Brazil had voted in favour of the draft resolution, it believed that the text adopted by the General Assembly could have been improved. It was an unbalanced text with significant flaws, such as a reference to "the Syrian moderate opposition" without specifying which groups were covered by that term. Brazil had tried to avoid a selective approach to human rights violations, and was convinced that a more balanced text would have had greater potential to build momentum for constructive action from all relevant parties. Brazil also expressed its repudiation of the use of chemical weapons in the conflict.

5. **Ms. Schäfer** (Hungary) reiterated her country's deep concern over the deteriorating human rights situation in Syria, which had caused unacceptable suffering. The recent escalation of the conflict had led to widespread casualties, who were disproportionately women and children. Hungary condemned the indiscriminate and targeted attacks against civilians and called on all parties to respect international human rights and humanitarian law. Given that all those concerns had been duly reflected in the document, it was of utmost importance for Hungary to support it. Nevertheless, Hungary strongly disagreed with paragraphs 24 and 26, which referred to foreign terrorist fighters, foreign organizations and foreign forces fighting on behalf of the Syrian regime, as those elements exceeded the scope of the draft resolution. A draft resolution on human rights should avoid politicization and remain objective to ensure the broadest possible support among Member States, and it was unfortunate that the consultations on the draft resolution had not resulted in the concerns of States being reflected in the final text. Hungary would continue to support efforts towards the peaceful settlement of the conflict and hoped that politicization of human rights resolutions would be avoided in the future.

6. **Mr. Moussa** (Egypt) said that his country's position on draft resolutions on the situation of human rights in specific countries remained clear, namely that it was crucial to avoid politicization, double standards and the selective targeting of specific countries in order to maintain the credibility of international human rights forums, which must continue to function as spaces for constructive dialogue and international cooperation.

7. Nonetheless, his delegation had, once again, voted in favour of the draft resolution on the situation

of human rights in the Syrian Arab Republic because of the sheer scale of humanitarian suffering in that country, the hundreds of thousands of people who had been killed or injured in the ongoing conflict, and the unprecedented mass movements of Syrian refugees and internally displaced persons within the country, the region and beyond.

8. His delegation noted with concern, however, that the draft resolution was becoming increasingly politicized, and now contained paragraphs that addressed matters that did not fall within the mandate of the Third Committee, particularly with regard to human rights issues. Such politicization threatened to undermine efforts by the United Nations to address the deteriorating situation of human rights in Syria.

9. The sponsors of the draft resolution should take the concerns of Egypt into consideration in the future, with a view to drafting a balanced and comprehensive draft resolution that addressed not only the challenges impeding efforts to combat terrorist and takfiri organizations, but also the prospects for a political solution to the Syrian conflict.

10. **Mr. González Serafini** (Argentina) said that Argentina had voted in favour of the draft resolution under consideration. His delegation condemned emphatically the acts of violence and human rights abuses perpetrated against the civilian population in Syria as well as the attacks on the headquarters of international organizations and on schools, hospitals and humanitarian convoys. He urged the parties to the conflict, especially the Government of Syria, to permit the entry of humanitarian aid. It was imperative for the Government of Syria to collaborate with the Secretary-General's Special Envoy and for all parties to cease the violence.

11. Argentina condemned terrorism in all its forms and manifestations and repudiated in the most forceful terms the acts of Islamic State in Iraq and the Levant (ISIL) as well as those of the Nusrah Front. Supplying arms and funds to the parties to the conflict served only to exacerbate the suffering of the Syrian people. The use of chemical weapons by any actor, under any circumstances, was outrageous and contrary to international law. His delegation supported an immediate independent and objective investigation of the use of chemical weapons within the framework of the Organization for the Prohibition of Chemical Weapons.

12. An unconditional ceasefire was needed, not temporary truces, and a permanent, consensual political solution must be found as a matter of urgency.

13. Lastly, he reiterated his country's support for the sovereignty, independence, unity and territorial integrity of the Syrian Arab Republic.

14. **Mr. Cabezas Reveco** (Chile) said that his country had voted in favour of the draft resolution, which it viewed as a condemnation of the massive human rights violations and abuses being carried out, irrespective of which party was responsible. That attitude was consistent with the position of Chile in United Nations forums, even when his Government did not agree with all the elements of the newly adopted text. He reiterated that balance was important and that selectivity should be avoided on the basis of considerations that were beyond the scope of the Third Committee.

15. His delegation condemned the systematic and indiscriminate use of violence across Syria. Human rights must be respected, civilians protected and steps taken to facilitate access by humanitarian organizations. All those responsible for human rights violations and abuses must be held accountable before the law.

16. With respect to paragraphs 24 and 26 of the draft resolution, his delegation would have preferred language that made a clear distinction between the terrorist groups designated by the United Nations Security Council and other armed groups, on the one hand, and the regular military advisers who were operating with the complicity and at the request of the Government of Syria, on the other.

17. Only a political solution could bring the conflict to an end and, in that regard, the flow of weapons must be stopped. He urged those actors that had influence over the parties to act accordingly, including within the United Nations system.

18. **Mr. Viktorov** (Russian Federation) said that each year the text of the draft resolution on the situation of human rights in the Syrian Arab Republic grew more detached from reality. It still failed to mention the crimes perpetrated by terrorists and affiliated armed

opposition groups, or the difficulties faced by the Syrian Government and people in their fight against international terrorism.

19. Such a draft resolution evidently served the interests of those countries playing the dangerous geopolitical game of trying to topple the Syrian regime by force. However, that game relied on providing political and propaganda support to the most radical forces working closely with terrorists, and on providing them with limitless supplies of troops, arms and equipment. Country-specific resolutions were one element of an underhand smear campaign conducted against the Syrian Government and the States that had answered its call for assistance.

20. He called on all States, including those which had supported the anti-Syrian draft resolution, to show their commitment to finding a solution to the Syrian crisis and eradicating the threat of terrorism, especially by helping to drive the Nusrah Front and its allies out of east Aleppo, where thousands of civilians were being held hostage and were cut off from humanitarian aid. The current draft resolution would not resolve those issues nor ensure compliance with international human rights and humanitarian law in Syria.

21. The Russian Federation was committed to achieving a peaceful settlement in Syria as swiftly as possible. It was extremely concerned by the current humanitarian situation and was taking specific action, in conjunction with the Syrian Government, the United Nations and international partners, to normalize the situation. His delegation hoped that Member States still seeking to effect regime change in Syria and to remodel the geopolitical landscape of the region would, henceforth, undertake more constructive action.

22. **Mr. Pouleas** (Greece) said that Greece was greatly concerned by the serious human rights abuses in Syria and the disastrous humanitarian situation in Aleppo, resulting in unacceptable suffering for civilians. However, Greece could not agree with the inclusion of the Al-Quds Brigades and the Iranian Revolutionary Guard Corps in paragraph 24 of the draft resolution. The draft resolution should focus on respect for human rights and humanitarian law and should not adopt a politicized approach. Owing to the inclusion of those references, Greece had abstained from voting on the draft resolution.

23. **Ms. Belskaya** (Belarus) said that her delegation had voted against the draft resolution because it increased confrontation and undermined the principle of objectivity. Practice had shown that country-specific resolutions brought no benefit to parties but rather erected artificial barriers to constructive and equal dialogue. She encouraged Member States to comply with the process of the universal periodic review, which was gradually establishing itself as the appropriate mechanism for reviewing human rights situations and helping Governments to improve their human rights records.

24. **Ms. Ali** (Singapore) said that Singapore had always taken a consistent and principled position against country-specific resolutions in the Third Committee, as they were highly selective in nature and driven by political rather than human rights considerations. Accordingly, Singapore abstained from voting on the draft resolution and would abstain from all future country-specific resolutions in the Committee. Country-specific resolutions should be taken up under the universal periodic review in the Human Rights Council. The abstention by Singapore should not be interpreted as taking a position on the substance of the human rights issues raised in the draft resolution, and the Government called on all Member States to promote and protect all human rights and fundamental freedoms.

25. **Ms. Goldrick** (Nicaragua) said that her delegation was deeply concerned by the use of country-specific resolutions, a practice that lent itself to politicization, selectivity and double standards. Instead, a dual approach of cooperation and objectivity should be used in a spirit of respect and collaboration within the framework of the Human Rights Council, which was the ideal body for addressing such issues in countries across the world under equal conditions. The universal periodic review was an effective evaluation mechanism based on the principles of universality, impartiality, objectivity and non-selectivity. Country-specific resolutions, on the other hand, had proven to be ineffective and to exacerbate confrontation between members of the General Assembly. Curiously, only developing countries had been targeted. So far, no draft resolution had ever been put forward to deal with the massive human rights violations committed against millions of migrants living in developed countries or tackling the responsibility of the major Powers, which,

in defence of their political or economic interests, mounted military attacks against civilians, thereby depriving them of the human right to life.

26. She appealed to fraternal developing countries to ensure respect for the right to sovereignty and self-determination of all developing countries, to prevent interference in their internal affairs and to reject the politicization of human rights. Fraternal developed countries were invited to collaborate with the developing countries to continue to promote and defend the human rights of all citizens worldwide through respectful dialogue and within a framework of cooperation.

27. The Third Committee adopted draft resolutions affirming that all human rights and fundamental freedoms were universal, indivisible and interdependent, interrelated and mutually reinforcing. Her delegation also recognized that extreme poverty inhibited the full and effective enjoyment of all human rights. Thus, the developed countries had a great opportunity to collaborate for the promotion and protection of human rights in developing countries by fulfilling their official development aid pledges.

28. **Ms. García Gutierrez** (Costa Rica), expressing concern about the human rights situation in the specific countries referred to in the draft resolutions before the Committee, said that her country had taken the decision to support those draft resolutions and vote in favour of them. Her delegation maintained, however, its principled position that all matters of interest that Member States wished to raise should be assessed on their substantive merits. In the cases under consideration, the steps taken by the different countries to improve their human rights situations had been taken into account.

29. Nevertheless, the Human Rights Council was the main body that was competent to deal with such issues. It had the necessary tools, the foremost being the universal periodic review, for examining specific cases that warranted attention. Consequently, her delegation did not sponsor those draft resolutions within the Third Committee. That conviction did not, however, relieve delegations of the responsibility of expressing their views on particularly critical situations affecting fundamental rights, wherever they might occur. Constructive dialogue and cooperation should lead to the promotion and effective protection of human rights. She appealed to all States to engage in that effort.

30. **Ms. Sabja** (Plurinational State of Bolivia) said that her delegation maintained a principled position against selective and politically motivated country-specific draft resolutions, which contributed nothing to the promotion of human rights and were conducted without the consent of the States involved. The Human Rights Council, in particular the universal periodic review, offered an opportunity to consider the human rights situation in all countries on an equal basis through constructive dialogue. Cooperation and constructive dialogue were prerequisites for ensuring the promotion and protection of all human rights and must be maintained with the participation of the country concerned and on the basis of the principles of objectivity, impartiality and non-selectivity. Her delegation would therefore vote against all country-specific draft resolutions presented in the Third Committee.

Draft resolution A/C.3/71/L.25: Situation of human rights in the Islamic Republic of Iran

31. **The Chair** said that the draft resolution had no programme budget implications.

32. **Mr. Blanchard** (Canada), introducing the draft resolution on behalf of the sponsors, said that he wished to make two oral revisions to the text. In paragraph 15, the word "religious" should be added before "ethnic, linguistic or other minorities", while in paragraph 16, "in the Islamic Republic of Iran" should be inserted after "members of the Baha'i faith and their defenders".

33. He was deeply disappointed that a no-action motion had been called on the draft resolution, but was encouraged that Member States had opposed that attempt to stifle legitimate debate on a critical human rights issue. The reports of the Secretary-General and the Special Rapporteur had revealed the gravity of the human rights violations perpetrated by Iran, which must continue to be scrutinized by the international community. Examples included an appallingly high number of executions, including of minors, and restrictions on freedom of expression, peaceful assembly and association.

34. The draft resolution was the product of weeks of open and inclusive consultations, and it had been shared with all Member States, including Iran and other States that opposed it. It was not politically motivated; rather, it was objective, it urged Iran to meet its human rights obligations and suggested how it might do so. Canada looked forward to the day when the Third Committee no longer had to concern itself with the human rights situation in Iran, but that would require Iran to meet its obligations in law and in practice. Until such a time, the draft resolution was an important tool for ensuring that the situation of human rights in Iran received the necessary attention.

35. **Mr. Khane** (Secretary of the Committee) said that Honduras and San Marino had joined the sponsors.

36. **Mr. Dehghani** (Islamic Republic of Iran) said that his country did not deserve to be the subject of such a biased draft resolution, submitted by the self-proclaimed champions of human rights, some of whom grossly violated human rights and continued to commit atrocities against civilians with impunity. Iran was singled out solely because it refused to yield to the political pressures of the draft resolution's main sponsors.

37. Human rights were again being exploited as a tool to pressure a nation that had chosen to assert its independence. The draft resolution was being used to pursue the unjust interests of those who had historically supported colonialism, slavery, racism and apartheid. Beyond the absurd politicization of human rights, there were no credible grounds for the draft resolution.

38. His country truly believed in the imperative of respecting and promoting human rights. During the previous four decades, it had consequently held numerous democratic elections, promoted peaceful and democratic processes throughout society and encouraged transparency, accountability and stability at all State levels. However, the will of the Iranian people did not align with international interests and his country was therefore fiercely censured no matter how democratically it behaved.

39. Contrary to the unfounded claims contained in the draft resolution, Iran had made clear progress with regard to human rights during the previous four decades: it had recorded the second-highest Human Development Index growth in the world during that period. Moreover, his country was waging a relentless campaign against transnational organized crime and armed drug traffickers in particular. Despite the fact that the West had been the net beneficiary of his country's fight against drug trafficking, the support received from it had remained negligible.

40. For the previous four decades, Iran had consistently hosted millions of refugees. Despite an absence of meaningful international support, Iran had never shirked its humanitarian responsibility with regard to refugees and had never closed its borders. During the 2016-2017 educational year, 460,000 refugee children, including 100,000 from undocumented refugee families, were attending school in Iran.

41. Recognizing the unequivocal link between the promotion of human rights and combating intolerance, extremism and terrorism, Iran had proven to be the most steadfast country in fighting against the latter. Without its resolute determination, much larger swathes of the Middle East could have been under the black flag of ISIL, which would have entailed tragic consequences for women, girls, young people and minorities, as well as cultural heritage sites.

42. No Government could claim to be perfect; however, his country's imperfection was no greater than that of any other country and therefore did not warrant a specific resolution. While such misguided and politically charged attempts would only increase mistrust, his country's policy of constructive engagement with the world promised new horizons for dialogue, understanding, mutual respect and cooperation. Respectful dialogue must be conducted without recrimination or playing the blame game. The draft resolution was an insincere action undertaken by a country with a questionable human rights record. The main sponsors of the draft resolution largely continued to overlook the alarming rise in marginalization, social exclusion, disenfranchisement, cultural chauvinism, xenophobia, racial hatred and racism as the breeding grounds for atrocities and terrorism within their own societies. International public opinion should continue to question the integrity and veracity of those self-proclaimed champions of human rights. His delegation called on all Member States to reject the draft resolution.

Statements made in explanation of vote before the voting

43. **Mr. Al-Mouallimi** (Saudi Arabia) said that, although his delegation had abstained in the vote on the draft resolution on the situation of human rights in the Islamic Republic of Iran in previous sessions of the General Assembly, it felt compelled to vote in support of the draft resolution on the theme that was currently before the Committee. Saudi Arabia could no longer ignore or remain a silent witness to the massive human rights violations that were being perpetrated against all sectors of Iranian society, including Sunni Muslims — and particularly Sunni Muslims in the city of Ahvaz — who continued to suffer racial and sectarian persecution. Indeed, many Sunni Muslims in Iran had been sentenced to death by tribunals that failed to uphold the principles of Islamic sharia or meet the most basic standards of justice, and their bodies had been suspended from gallows erected in public squares and streets.

44. His delegation underscored, however, that its vote in favour of the draft resolution should not be understood to mean that his country associated itself with any phrase or paragraph contained therein that could be interpreted in ways that contravened the provisions and principles of Islamic sharia. His delegation also emphasized the sovereign right of all States to apply the death penalty in accordance with their domestic legislative frameworks and relevant international instruments.

45. **Mr. Ja** Song Nam (Democratic People's Republic of Korea) said that his country had always maintained a principled position against confrontational and divisive country-specific resolutions. Such resolutions were used as a political tool rather than for the protection and promotion of human rights. The freedom of States to choose their own political systems must be respected in accordance with the United Nations Charter. The Democratic People's Republic of Korea was opposed to all politically-motivated uses of human rights as a pretext to interfere in countries' internal affairs. For those reasons, the Democratic People's Republic of Korea would vote against the draft resolution.

46. **Mr. Qassem Agha** (Syrian Arab Republic) said that his delegation categorically rejected the draft resolution on the situation of human rights in the Islamic Republic of Iran, which would undermine the credibility of the political and legal terms of reference in the area of international relations, particularly given the fact that international consensus had already been reached on a mechanism for dealing with human rights issues, namely the universal periodic review of the Human Rights Council.

47. It was not clear why the matter had once again been brought before the Committee, which was supposed to deal with humanitarian issues, or why selective accusations were made against States that had their own cultures, customs and successes in the field of human rights.

48. Rather than focusing on the human rights situation in the Islamic Republic of Iran, it would be better to investigate the situation of human rights in those States that hypocritically claimed to be staunch human rights defenders. A clear example of such double standards in the area of human rights had been given by the representative of Saudi Arabia, who had delivered a speech that incited divisions between Sunni and Shia Muslims in Iran and revealed the sectarian Wahhabi agenda of Saudi Arabia, which it continued to pursue, inter alia, by sponsoring acts of terrorism around the world.

49. As a position of principle, his delegation categorically rejected the selective use of human rights issues to interfere in other States' domestic affairs under the pretext of humanitarian or legal considerations. Such an approach was contrary to the provisions of the United Nations Charter, which enshrined the principle of the equality and sovereignty of all Member States. Syria would therefore vote against the draft resolution.

50. **Mr. Amorós Núñez** (Cuba) said his delegation would vote against the draft resolution. Cuba maintained a principled position against country-specific resolutions, which encouraged a punitive and confrontational approach to the issue of human rights. The continued inclusion in the agenda of the situation of human rights in the Islamic Republic of Iran was politically motivated and did not stem from genuine concern or interest in cooperating with that country. Any mandate imposed on the basis of politicization and double standards was destined to fail. His delegation objected to the manipulation of human rights to advance a political agenda, to discredit

Governments and to attempt to justify strategies aimed at destabilizing some of those Governments. Moreover, such action bypassed the universal periodic review, which was the mechanism created to foster cooperation on human rights. He called on States to promote respectful and constructive dialogue with the Islamic Republic of Iran based on collaboration and the exchange of good practices, which was the only way to successfully address the human rights challenges facing the international community.

51. **Mr. Warraich** (Pakistan) said that best approach to human rights concerns was constructive engagement, based on the principles of impartiality, transparency, objectivity and non-selectivity. However, the draft resolution had not fulfilled the criterion of objectivity. The Special Rapporteur on the situation of human rights in the Islamic Republic of Iran had himself acknowledged the constructive engagement demonstrated by Iran. Pakistan also noted that Iran had engaged constructively with the universal periodic review process and had taken concrete steps towards fulfilling its obligations. For those reasons, Pakistan would vote against the draft resolution.

52. *A recorded vote was taken on draft resolution A/C.3/71/L.25, as orally revised.*

In favour:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Bahrain, Barbados, Belgium, Belize, Bosnia and Herzegovina, Botswana, Bulgaria, Cabo Verde, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Dominican Republic, El Salvador, Estonia, Finland, France, Gabon, Gambia, Germany, Greece, Guatemala, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Maldives, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Slovakia, Slovenia, Solomon Islands, South Sudan, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Timor-Leste, Tuvalu, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu and Yemen.

Against:

Afghanistan, Algeria, Armenia, Bangladesh, Belarus, Bolivia (Plurinational State of), Brunei Darussalam, Burundi, Cambodia, China, Cuba, Democratic People's Republic of Korea, Ecuador, Egypt, Eritrea, India, Indonesia, Iran (Islamic Republic of), Iraq, Kazakhstan, Kyrgyzstan, Lebanon, Nicaragua, Oman, Pakistan, Russian Federation, South Africa, Sudan, Syrian Arab Republic, Turkmenistan, Uganda, Uzbekistan, Venezuela (Bolivarian Republic of), Viet Nam and Zimbabwe.

Abstaining:

Angola, Antigua and Barbuda, Benin, Bhutan, Brazil, Burkina Faso, Cameroon, Chad, Colombia, Comoros, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Ethiopia, Fiji, Ghana, Guinea, Guinea-Bissau, Guyana, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Libya, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Papua New Guinea, Philippines, Qatar, Rwanda, Saint Vincent and the Grenadines, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Singapore, Somalia, Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, United Republic of Tanzania, Uruguay and Zambia.

53. *Draft resolution A/C.3/71/L.25, as orally revised, was adopted by 85 votes to 35, with 63 abstentions.*

54. **Mr. Sandoval Mendiolea** (Mexico) said that Mexico was concerned about the persistent human rights violations in Iran that had been reported. However, the Government of the Islamic Republic of Iran had given some indications that it was more open to international scrutiny through its efforts to cooperate with treaty bodies, its signs of greater openness to dialogue with the Special Rapporteur, and the invitations it had extended to two independent experts of the Human Rights Council. His delegation believed that a greater emphasis on technical assistance and capacity-building in the draft resolution would have had a more positive impact on human rights in the

Islamic Republic of Iran. For those reasons, Mexico had abstained during the voting, on the basis that it was important to continue to press for greater cooperation from Iran and to call on its Government to take urgent action to address its human rights situation.

55. **Mr. Dehghani** (Islamic Republic of Iran) said that it was ridiculous for the representative of Saudi Arabia to shed crocodile tears for the Iranian people and claim to care about his Sunni brothers in Iran when the Government of Saudi Arabia was responsible for all the crises in the region. It had fostered instability by providing financial, political and ideological support to Wahhabi takfiri terrorists and by spending billions of dollars to disseminate hatred and encourage sectarian division. A Government that had accused Iran of interfering in the internal affairs of other States was now telling people in Ahvaz and other parts of Iran what to do, thereby interfering in its internal affairs. Saudi Arabia should stop abusing international forums, and its Ambassador should advise his Government to abandon its policies of support for violent extremists and military intervention in neighbouring countries. In pursuing such policies, everyone would lose, particularly Saudi Arabia.

56. **Mr. Viktorov** (Russian Federation) said his delegation had voted against the draft resolution. The Russian Federation had consistently objected to the imposition of politically motivated country-specific resolutions that were based on sweeping accusations and ran counter to the spirit of equal and mutually respectful dialogue and international cooperation. Over the years, it had become clear that country-specific resolutions did not help Member States to improve their human rights records. The universal periodic review was the most successful mechanism for assessing human rights situations in all Member States.

57. **Mr. Giacomelli da Silva** (Brazil) said that his country recognized the efforts of Iran to update its legislative framework in light of international instruments that had resulted in positive steps, such as a draft charter of citizens' rights and the increased participation of women in parliament in 2016. The policy of constructive engagement by Iran should lead to increased participation in the international human rights system.

58. Brazil had abstained from voting on the draft resolution in the belief that a more constructive approach should be adopted by the international community and by Iran. Nevertheless his delegation was concerned about reports of violations and by the fact that recent developments had not yielded tangible improvements. Brazil was particularly concerned by the high rate of executions, especially of juvenile offenders, by the state of women's rights and by violations of the rights of freedom of opinion, expression and peaceful assembly. Iran was urged to respect the rights of minorities, particularly religious minorities not recognized by the Iranian Government, such as the Baha'is.

59. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated its principled position of rejecting politicized and selective approaches to human rights issues. The persistent practice of adopting country-specific resolutions violated the principles of universality, objectivity and non-selectivity. Cooperation and dialogue were the appropriate means for the effective promotion and protection of human rights. His delegation believed that human rights issues should be examined within the context of the universal periodic review and called on countries to build on the progress made since the creation of the Human Rights Council. The Bolivarian Republic of Venezuela had therefore voted against the draft resolution.

60. **Mr. Minami** (Japan) said that his delegation had once again supported the draft resolution. Japan welcomed the priority that President Rouhani had placed on human rights issues and appreciated that Iran was promoting dialogue. However, further improvements were necessary. Japan expected that the newly appointed Special Rapporteur would be granted a country visit, which would strengthen the relationship between Iran and United Nations human rights bodies.

61. Since 2000, Japan and Iran had engaged in dialogue on human rights with the goal of fostering bilateral ties through mutual understanding rather than confrontation. Those dialogues had yielded tangible results, such as the development of training courses on enhancing the Iranian legal system. Iranian legal experts had been invited to Japan, which Japan hoped would help Iran establish the rule of law and good governance. Japan continued to engage actively and constructively in bilateral talks and initiatives with Iran

as well as in discussions at the United Nations on human rights issues in that country.

62. **Mr. Al-Kumaim** (Yemen) said that although his country had voted in favour of the draft resolution, it had reservations about paragraph 9 of the draft, which expressed serious concern at the high frequency of the imposition of the death penalty by the Islamic Republic of Iran. It was not correct to connect the death penalty to the violation of international commitments, as some States, such as Yemen, had not signed the Second Optional Protocol to the International Covenant on Civil and Political Rights. There was no international consensus on the death penalty and the Covenant itself stated that, in countries which had not abolished the death penalty, the sentence of death might only be imposed for the most serious crimes in accordance with the law in force. In accordance with the United Nations Charter, all States had the right to choose their political, economic and legal systems free from interference from other States and were free to apply the law in their own jurisdictions. While some States had freely chosen to abolish the death penalty and others had not, each State acted in a manner consistent with its international obligations.

63. **Mr. Thant Sin** (Myanmar) said that Myanmar, as a member of the Movement of Non-Aligned Countries, and based on the principled position that it had taken in the past, opposed country-specific resolutions that targeted particular Member States. The promotion and protection of human rights should be based on the principle of cooperation and should be designed to strengthen the capacities of Member States to fulfil their human rights obligations. Myanmar, which firmly believed that the universal periodic review process was the most dependable and uncontroversial monitoring mechanism for addressing human rights situations in all countries, had therefore abstained from voting on the draft resolution.

64. **Mr. Cabezas Reveco** (Chile) said that his delegation had supported the draft resolution as a means of proposing concrete action that the Islamic Republic of Iran could take to address its human rights issues. Chile encouraged that Government to implement the recommendations of the universal periodic review and to ensure due process in the application of the death penalty, which should only be used for the most serious crimes and never for minors. Emphasizing the importance of broader and more effective cooperation with human rights mechanisms, in particular regarding the participation of civil society, he said that Chile stood ready to work with the Islamic Republic of Iran on those issues.

65. **Ms. Belskaya** (Belarus) said that her delegation had voted against the draft resolution. It did not see the sense in adopting country-specific resolutions which only created artificial barriers to equal and constructive dialogue. Conclusions from the universal periodic review had shown that country-specific resolutions could effectively be issued against any country, since no country had an irreproachable human rights record.

66. **Ms. Schäfer** (Hungary) said that while her country had voted in favour of the draft resolution, certain considerations were not duly reflected in the document. In compliance with its international obligations, Hungary promoted the rule of law and the protection of human rights, and it spoke out against the restriction or grave violation of those rights. Her country's foreign policy, for example, had always focused on the protection of ethnic, linguistic and religious minorities. However, the draft resolution did not appropriately reflect the efforts made by the Government of Iran to engage in dialogue on human rights. Harsh public criticism of Iran might be counterproductive, and the international community should focus instead on fostering dialogue with the Government of Iran in order to promote positive change in the country. For those reasons, Hungary had not sponsored the draft resolution.

67. **Ms. Ali** (Singapore) said that her delegation reiterated its principled position against country-specific resolutions, which should instead be taken up under the universal periodic review in the Human Rights Council established for that purpose. Accordingly, Singapore had abstained from voting on the draft resolution. However, its abstention should not be interpreted as taking a position on the substance of the draft resolution.

68. **Mr. Shearman** (United Kingdom) said that the United Kingdom was deeply concerned about human rights in Iran, particularly the use of the death penalty for juvenile offenders and for those convicted of crimes not deemed the most serious under international law. It was also concerned about restrictions on freedom of assembly and expression, the operation of

the rule of law and women's rights. In the view of the United Kingdom, the draft resolution was balanced, with recognition of progress where it had been made and identified areas for improvement. The draft resolution also provided a useful platform for engagement by Iran with the Special Rapporteur and non-governmental organizations.

69. The United Kingdom welcomed reengagement with Iran following the nuclear deal. The Joint Comprehensive Plan of Action had been a major achievement, but a focus should be kept on human rights and Iran should be held to account for its human rights record. The United Kingdom also wished to register disappointment around the misuse of the rules of procedure by some delegations to undermine the mandate of the Committee. However, such attempts had been opposed by a wide range of other countries, allowing draft resolutions to be considered on their merits.

70. **Ms. Sison** (United States of America) said that her country strongly supported the draft resolution. The United States remained concerned about the human rights situation in Iran, given the wide range of violations and abuses, especially of the rights of minorities and those with divergent political views. The Government of Iran must end its use of arbitrary detention, excessive sentences, harsh prison conditions and death sentences against individuals who had been minors at the time of their alleged crimes. Noting that the previous Special Rapporteur had not been allowed to visit to carry out the work mandated by the Human Rights Council, she urged Iran to allow his successor to visit.

71. **Mr. Al-Mouallimi** (Saudi Arabia), speaking in exercise of the right of reply, said that it was clear that the representative of the Islamic Republic of Iran had objected to the comments of the Saudi Arabian delegation because it had drawn attention to Iran's crimes against Sunni Muslims, which Iran would prefer to keep hidden from the world. Instead of lecturing other States, the Iranian representative should examine the history of his own country: he would learn that Iran and Israel were the world's most active State sponsors of terrorism. Iran continued to provide support to the terrorist group Hizbollah in Lebanon, had sheltered Al-Qaida leaders and had perpetrated a number of well-documented terrorist attacks in Saudi Arabia. Iran was also perpetrating terrorism through its support to sectarian actors in the war in Syria. As for the comments of the representative of the Syrian regime, they were so utterly devoid of substance that they did not merit a response.

Draft resolution A/C.3/71/L.26: Situation of human rights in the Autonomous Republic of Crimea and the city of Sevastopol (Ukraine)

72. **Mr. Khane** (Secretary of the Committee) read out a statement in accordance with rule 153 of the rules of procedure of the General Assembly. Under the terms of the penultimate paragraph of the draft resolution, the General Assembly would ask the Office of the United Nations High Commissioner for Human Rights (OHCHR) to prepare a dedicated thematic report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol, in accordance with the existing mandate and within the resources of the human rights monitoring mission in Ukraine that was currently funded through voluntary contributions.

73. Pursuant to the request contained in the aforementioned paragraph and given that the monitoring mission was currently funded entirely through voluntary contributions, it was understood that the thematic report on the situation of human rights in the temporarily occupied Autonomous Republic of Crimea and the city of Sevastopol was to be produced in English only. Accordingly, the adoption of draft resolution A/C.3/71/L.26 would not give rise to any financial implications under the programme budget.

74. **Mr. Yelchenko** (Ukraine), introducing the draft resolution, said that Albania, Iceland, Ireland, Italy, Japan, Malta, the Marshall Islands, Montenegro, New Zealand, Norway and the Republic of Moldova had joined the sponsors. Since February 2014, the Autonomous Republic of Crimea and the city of Sevastopol had been occupied by the Russian Federation. The attempt to annex part of sovereign Ukrainian territory had not been recognized by the international community, as confirmed in General Assembly resolution 68/262 on the territorial integrity of Ukraine.

75. Despite claims by the Russian Federation that all was well in Crimea, it had denied access to representatives of United Nations international human

rights mechanisms. According to the human rights monitoring mission in Ukraine, the human rights situation on the peninsula had deteriorated since occupation, with reports of serious violations and abuses against inhabitants, including extrajudicial killings, abductions, enforced disappearances, politically motivated prosecutions, discrimination, harassment, intimidation, violence, arbitrary detentions, the torture and ill-treatment of detainees and trafficking across the international borders between Crimea and the Russian Federation. Abuses of other fundamental freedoms had also been reported, including the freedom of expression, religion or belief and association and the right to peaceful assembly. Altogether, the mission had issued 15 reports, all of which had included a chapter on Crimea.

76. Even though the Russian Federation had occupied the territory and imposed its own legal framework, residents of Crimea remained Ukrainian citizens. The Government of Ukraine was committed to providing all possible means of protection for their fundamental rights and freedoms on the temporarily occupied territory.

77. The main goal of the draft resolution was to urge the Russian Federation to ensure full compliance with its obligations as an occupying Power under international law and to guarantee the safe and unfettered access of international human rights mechanisms to Crimea. The draft resolution was a diplomatic, political and legal mechanism through which Ukraine could ensure the implementation of its obligations as a State, using the tools of international law and international organizations. Every word of the text was based on existing United Nations documents, especially reports of the human rights monitoring mission in Ukraine and documents of other international organizations, including European ones. The draft resolution could only be called country-specific insofar as it referred to the territory of Ukraine within its internationally recognized borders.

78. **Mr. Viktorov** (Russian Federation) said that his delegation maintained its principled stance of rejecting politically motivated and selective country-specific resolutions. It was regrettable that the Third Committee was again wasting time discussing propaganda instead of holding a substantive dialogue on the promotion and protection of human rights. Russian Crimea was the latest target of a group of States which had taken the liberty of judging what was best for a country's inhabitants. The Russian Federation had repeatedly maintained that the draft resolution did not reflect the real state of affairs in Crimea, nor the opinion and interests of its inhabitants, and that the fundamental content was not within the mandate of the Third Committee. The current instance was a prime example of how Member States drafting country-specific resolutions turned human rights into a political plaything, further discrediting the Third Committee.

79. The draft resolution had been submitted by a State in which flagrant human rights violations had become commonplace. The atrocities of the Ukrainian security forces had been described by numerous non-governmental organizations and had also been documented in the reports of OHCHR, such as that covering the period from 16 May to 15 August 2016 which referred to the widespread use of torture; the use of sexual violence by Ukrainian armed forces; ill-treatment of detainees prior to their transfer to the criminal justice system; the harassment and intimidation of journalists and an increase in cases of violence against them. Ukrainian security forces continued to shoot civilians in eastern Ukraine indiscriminately and cause considerable damage to schools, hospitals and other civil infrastructure. He wondered whether that was the future that the Kiev authorities had in store for citizens of Crimea who had preferred to vote in a historic referendum for reunification with Russia.

80. OHCHR had expressed concern at the lack of progress made by investigations into the conduct of the Ukrainian armed forces and security services, despite the country's insistence that it would investigate all serious human rights violations. For example, no investigations had been conducted into the air attack on the Lugansk regional administration building on June 2014 or into the bloody events in Odessa of 2 May 2014, when at least 48 people had died.

81. By welcoming the reports of OHCHR in the draft resolution, the Ukrainian delegation essentially accepted the sharp criticism of its Government. The sponsors of the draft resolution could therefore hardly refute the fact that Ukrainian citizens had suffered at the hands of their own Government. Reports were proliferating of serious abuses of the rights of ethnic

minorities and increasing aggression by nationalist radicals in Ukraine, and of the authorities turning a blind eye to marches by neo-Nazis, the persecution of dissenters and the seizure of Russian Orthodox churches.

82. The logic applied by supporters of the draft resolution would dictate that it was high time for a draft resolution on the critical human rights situation in Ukraine itself, rather than crying crocodile tears about the alleged plight of the people of Crimea, dealing in smear tactics and grossly misrepresenting the situation in Crimea. Moreover, when Crimea had been part of Ukraine, the Ukrainian authorities had ignored repeated criticisms by international organizations and human rights bodies of the human rights situation of minorities and of the human rights abuses perpetrated in Crimea.

83. Sponsors of the draft resolution could not claim the moral high ground and judge what was happening in other countries, for they clearly had other motives. Many Ukrainians would prefer to live like the inhabitants of Crimea and enjoy the benefits of peace, steady economic development and social protection, despite current efforts by Ukraine to impose blockades on water, energy and food.

84. The Russian Federation aspired to strengthen human rights guarantees across its territory, including in Crimea, in accordance with its international obligations. However, it would never accept others assuming positions of strength or adopting patronizing tones to discuss the topic.

85. The draft resolution was clearly political and detached from reality. Its sponsors had evidently exerted unprecedented pressure on other States. He called on delegations to show the political will and determination to vote against the draft resolution, which had nothing to do with protecting the human rights in Crimea.

Statements made in explanation of vote before the voting

86. **Mr. Shearman** (United Kingdom) said that his delegation strongly supported the draft resolution. Since the illegal annexation of the Crimean peninsula by the Russian Federation, OHCHR had reported cases of the arrest, ill-treatment, torture and intimidation of political opponents and minorities, as well as the denial of basic human rights to those who did not accept the forced imposition of Russian legislation and citizenship. The United Kingdom was particularly concerned by the persecution of the Crimean Tatars, including the banning of the Crimean Tatar Mejlis and the use of anti-extremist legislation to silence dissenting views. It was deplorable that the de facto authorities had prevented an independent assessment of the human rights situation by systematically denying access to all international monitoring organizations, not least the human rights monitoring mission in Ukraine, which had been active in Ukraine for two years. The primary and necessary goal of the draft resolution was to restore access to the Crimean peninsula for international human rights monitoring bodies.

87. **Ms. Mendelson** (United States of America) said that over two and a half years earlier, the Russian Federation had attempted to annex part of Ukrainian territory. The Russian Federation continued to trample on the rights of people living in Crimea and to entrench its authority over Ukrainian territory. The occupation was not only physical, but also psychological, as the intention of the Russian Federation was to crush any expression inconsistent with its own narrative and ensure its own voice was the only one heard in Crimea. For example, the region's de facto Supreme Court had declared the Crimean Tatar Mejlis to be an illegal extremist organization, the only television station broadcasting in the three languages of the peninsula had been forced to close and the number of spaces available for peaceful protest had been halved.

88. The consequences of defying the authorities were dire. OHCHR pointed to a pattern of police harassment using arbitrary interrogations, house searches and threats of prosecution People were disappearing under circumstances that appeared to be politically motivated, such as in the case of activist Ervin Ibragimov, who had disappeared the day before a court hearing. The Russian Federation even subjected those who did not accept its rationale for occupation to psychiatric examinations, such as Ilmi Umerov, who had called for Crimea to be returned to Ukraine. She called on other Member States to vote in favour of the draft resolution, in order to stop the abuses by the Russian Federation, promote the rule of law and

preserve the principle that Member States should not have to fear the seizure of their land by neighbours.

89. **Mr. Mikayilli** (Azerbaijan) said that Azerbaijan condemned extremism, radicalism and separatism in all their forms and manifestations and the acquisition of territories by the use of force. His delegation reaffirmed its full support for the sovereignty, political independence, unity and territorial integrity of Ukraine within its internationally recognized borders, as set out in General Assembly resolution 68/262 on the territorial integrity of Ukraine. Political dialogue should be used to settle all conflicts between Member States, in accordance with international law.

90. **Mr. Imnadze** (Georgia) said that his delegation was deeply concerned by the alarming human rights situation in the Autonomous Republic of Crimea and the city of Sevastapol, where 2.5 million Ukrainian citizens suffered from discrimination and grave violations of their basic human rights and fundamental freedoms. The draft resolution was particularly important because it provided for the unimpeded access of international human rights monitoring mechanisms to Crimea, tasked OHCHR to gather first-hand information on the situation on the ground and conveyed a strong message to address impunity and create a safe and enabling environment for human rights advocates and journalists. Georgia would therefore vote in favour of the draft resolution and encouraged other delegations to do the same.

91. **Mr. Qassem Agha** (Syrian Arab Republic) said that his delegation categorically rejected the draft resolution, which was highly politicized [illegible] made a number of morally and ethically indefensible assertions. The draft resolution was a brazen attempt to interfere in the internal affairs of the Russian Federation with a view to undermining that country's sovereignty, territorial integrity and political independence. The draft resolution would also undermine the credibility of the political and legal terms of reference in the area of international relations.

92. It was not clear why selective accusations were being made against a specific State that had its own culture, customs and successes in the field of human rights. The authority of a State and its Government was created and sustained by the consent of its people; the people in Crimea had exercised their legitimate right to self-determination, which must not be held hostage to the concerns or views of others. The duty of States to safeguard national security was an essential aspect of sovereignty over their territories. His delegation would therefore vote against the draft resolution. He emphasized, moreover, that even if a large number of States voted in favour of the draft resolution that would in no way prove that the position it advanced was correct.

93. **Mr. Ruidiaz Perez** (Chile) said that States in control of territories had a duty to comply with obligations imposed on them under international law and international human rights law. The Human Rights Council was the primary organ for examining such questions, but the failure to respect its institutional integrity and its resolutions would expose human rights issues to politicization. Although his delegation unequivocally supported the territorial integrity of Ukraine, it would abstain from voting on the draft resolution.

94. **Mr. Ja** Song Nam (Democratic People's Republic of Korea) said that his delegation wished to reiterate its principled position against all politically motivated country-specific resolutions. Any politicized and selective approach to human rights situations ran counter to the principles of objectivity and impartiality, undermined constructive dialogue and cooperation, and resulted in mistrust and confrontation. The universal periodic review, by contrast, examined the human rights situations of all countries on an equitable basis. His delegation was opposed to all attempts to violate the sovereignty and integrity of States and to any interference in their internal affairs on the pretext of human rights concerns. The Democratic People's Republic of Korea would therefore vote against the draft resolution.

95. **Ms. Belskaya** (Belarus) said that Belarus consistently opposed selective country-specific resolutions, which were not only a waste of time and resources, but also created confrontation, segregation and disagreement. The platform established by the Human Rights Council for reviewing human rights situations should be used to resolve differences between Member States and create conditions under which they could fulfil their international obligations. Her delegation would vote against the draft resolution.

96. **Mr. Poveda Brito** (Bolivarian Republic of Venezuela) said that his country reiterated once again

its principled position of rejecting politicized and selective approaches to human rights issues. The persistent practice of adopting country-specific resolutions violated the principles of universality, objectivity and non-selectivity. Cooperation and dialogue were the appropriate means for the effective promotion and protection of human rights. His delegation believed that human rights issues should be examined within the context of the universal periodic review and called on countries to build on the progress made since the creation of the Human Rights Council. The Bolivarian Republic of Venezuela would therefore vote against the draft resolution.

97. **Mr. Yao** Shaojun (China) said that all countries should address human rights issues through constructive dialogue and cooperation. Politicizing such issues or using them to exert pressure on sovereign States only served to exacerbate confrontation. China would vote against the draft resolution.

98. *A recorded vote was taken on draft resolution A/C.3/71/L.26.*

In favour:

Albania, Andorra, Antigua and Barbuda, Australia, Austria, Barbados, Belgium, Belize, Bhutan, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Haiti, Honduras, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kiribati, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Montenegro, Netherlands, New Zealand, Norway, Palau, Panama, Papua New Guinea, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Kitts and Nevis, Saint Lucia, Samoa, San Marino, Saudi Arabia, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, Tuvalu, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Vanuatu, Yemen.

Against:

Angola, Armenia, Belarus, Bolivia (Plurinational State of), Burundi, Cambodia, China, Comoros, Cuba, Democratic People's Republic of Korea, Eritrea, India, Iran (Islamic Republic of), Kazakhstan, Nicaragua, Russian Federation, Serbia, South Africa, Sudan, Syrian Arab Republic, Uzbekistan, Venezuela (Bolivarian Republic of), Zimbabwe.

Abstaining:

Algeria, Argentina, Bahamas, Bahrain, Bangladesh, Benin, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Cabo Verde, Cameroon, Chad, Chile, Colombia, Congo, Côte d'Ivoire, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Gabon, Gambia (Islamic Republic of the), Ghana, Guatemala, Guinea, Guyana, Indonesia, Iraq, Jamaica, Jordan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Lesotho, Libya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Mozambique, Myanmar, Namibia, Nauru, Nepal, Niger, Nigeria, Oman, Pakistan, Paraguay, Peru, Philippines, Rwanda, Saint Vincent and the Grenadines, Sao Tome and Principe, Seychelles, Singapore, South Sudan, Sri Lanka, Suriname, Tajikistan, Thailand, Togo, Tonga, Trinidad and Tobago, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Zambia.

99. *Draft resolution A/C.3/71/L.26 was adopted by 73 votes to 23, with 76 abstentions.*

100. **Mr. Sandoval Mendiolea** (Mexico) said that Mexico condemned the use of force against the territorial integrity or sovereignty of any State. Its concerns regarding the situation in Crimea and Sevastopol had led it to vote in favour of General Assembly resolution 68/262 on the territorial integrity of Ukraine. However, it believed that human rights should be considered separately from territorial integrity to avoid politicization. The draft resolution did not reflect the importance of respecting the territorial integrity of Ukraine and was not the best way to address the situation of human rights in Ukraine or Sevastopol. Mexico was concerned at the enforced disappearances, extrajudicial killings and torture detailed in the report of OHCHR and was worried by the rising rate of persecution of the Tatar minority. The situation of human rights in Crimea and Sevastopol should be addressed in the appropriate forums, such as

the Human Rights Council, without politicization and from a strictly humanitarian and human rights perspective. His delegation had therefore abstained during the voting.

101. **Mr. Giacomelli da Silva** (Brazil) said that his delegation had abstained from the vote. Brazil had expressed concern about the gravity of the situation in Ukraine since the early stages of the crisis, in the belief that a solution should be achieved within the framework of the Charter of the United Nations and on the basis of respect for institutions and human rights. He urged parties to engage in constructive talks but recognized that the text of the draft resolution was currently too unbalanced to promote dialogue and de-escalate tensions. He called on all stakeholders to build an environment conducive to a political solution by exercising maximum restraint. Brazil repudiated the use of chemical weapons during the conflict.

102. **Ms. Michaelidou** (Cyprus) said that her delegation supported the sovereignty and territorial integrity of Ukraine and its commitment to the inclusive protection of human rights and fundamental freedoms. It had voted in favour of the draft resolution, but disassociated itself from the paragraphs relating to the Crimean Tatars, who had supported the commission of secessionist acts in occupied Cyprus that were in violation of United Nations resolutions and inconsistent with the principles of the draft resolution.

103. **Ms. Karabaeva** (Kyrgyzstan) said that the adoption of country-specific resolutions politicized the work of the Third Committee and prevented a balanced approach to human rights. Only dialogue and cooperation could solve such issues, with due consideration for national and regional cultural and historical specificities. Her delegation had abstained from the vote.

104. **Mr. Bultrikov** (Kazakhstan) said that the situation in Ukraine and the deteriorating relations between the Russian Federation and Ukraine were extremely sensitive and painful issues for Kazakhstan. His country needed a Ukraine that remained a stable and independent State with a diverse multi-ethnic and multi-confessional society, in which all human rights were upheld. At the same time, his delegation opposed politicizing the issue of human rights in general and the Third Committee agenda, in particular. Kazakhstan opposed selectivity in assessing the human rights situation or the use of human rights as an instrument to put pressure on Member States for political purposes.

105. The draft resolution was not aimed at solving the problem and did not reflect the essence of the issue of the human rights situation in Ukraine. Far from favouring dialogue and resolving the crisis, it would lead to a stalemate and further deepen the conflict between Russia and Ukraine, and between Russia and some other countries. Indeed, the draft resolution did not fall within the purview of the Third Committee as it referred to the matters of territorial integrity, annexation and occupation.

106. Kazakhstan called on all Member States to engage constructively on the issue of human rights protection. Instead of confrontational, counterproductive and coercive approaches, his Government stressed the need to promote and protect human rights through equal dialogue in a spirit of mutual respect and cooperation. Kazakhstan had therefore voted against the draft resolution.

107. **Mr. Thant Sin** (Myanmar) said that his delegation firmly believed that the promotion and protection of human rights should be based on the principles of cooperation and dialogue and on the founding principles of universality, impartiality and non-selectivity, which governed the work of the human rights bodies. The universal periodic review mechanism of the Human Rights Council was the appropriate platform for addressing the human rights situations in all countries in a uniform, objective and constructive spirit of engagement. While his delegation encouraged the Committee to engage in a positive dialogue, he reiterated his country's principled position against country-specific resolutions. Myanmar had therefore abstained on the draft resolution.

108. **Ms. Urruela Arenales** (Guatemala) said that her country had voted in favour of General Assembly resolution 68/262 in 2014. Breaching the territorial integrity of States on the basis of unilateral arguments of self-determination constituted a violation of the Charter of the United Nations and the international order. In addition, Guatemala had serious concerns about the human rights situation in the Autonomous Republic of Crimea and the city of Sevastopol, and condemned the violations that had been reported. However, it had abstained in the voting on draft resolution A/C.3/71/L.26, since the text presented

various procedural difficulties that could undermine the functioning of the Human Rights Council. In line with the usual procedure, country-specific human rights concerns should first be addressed by the Human Rights Council, which may establish a mandate for their consideration by the General Assembly. Guatemala supported country-specific resolutions in cases where the gravity of the situation demanded the attention of the international community, but believed that the universal periodic review was the appropriate mechanism to avoid selectivity and politicization. Cooperation and dialogue should be encouraged.

109. **Mr. Cepero Aguilar** (Cuba) said that his delegation had voted against the draft resolution, in accordance with its opposition to country-specific resolutions.

110. **Mr. Pouleas** (Greece) said that his country had voted in favour of the draft resolution, but it shared the concerns expressed by the delegation of Cyprus on the paragraphs relating to the Crimean Tatars, a group that had supported the commission of secessionist acts in occupied Cyprus that were in violation of Security Council resolutions and inconsistent with the spirit and principles of the draft resolution.

111. **Mr. Zehnder** (Switzerland), speaking also on behalf of Liechtenstein, said that the two countries had voted in favour of the draft resolution and that they particularly supported the call for greater monitoring of the human rights situation in Crimea. However, the draft resolution had not given sufficient consideration to an impartial and thorough examination by the Third Committee of the human rights abuses and the violations of international humanitarian law. In addition, a delegation of the Council of Europe had been the first to gain access to Crimea since 2014, and its report and recommendations should have been mentioned. In their view, Third Committee draft resolutions should focus on social, humanitarian and human rights issues that affected people all over the world, in accordance with its mandate. Draft resolution A/C.3/71/L.26 went beyond that.

112. **Mr. González Serafini** (Argentina) said that his delegation had abstained during the voting on the grounds that the draft resolution contained a number of provisions that went beyond the remit of the Third Committee. Nevertheless, Argentina remained deeply concerned by the situation of human rights in Crimea, in particular by the allegations of violations and abuses committed on the basis of ethnicity and by the denial of access and failure to cooperate with international human rights mechanisms. His country called for the human rights of all the inhabitants of Crimea to be respected, for the violations and abuses recorded by OHCHR to be investigated, and for those responsible to be brought to justice.

113. **Mr. Bessedik** (Algeria) said that his delegation had abstained during the voting. However, it wished to reiterate its strict adherence to the principles enshrined in articles 1 and 2 of the Charter of the United Nations, in particular those of territorial integrity, political independence, sovereignty, equal rights and self-determination, which Algeria considered to be the cornerstones of international relations and international law. Algeria took pride in its close relationship with all parties; it joined the calls for the continuation and strengthening of constructive dialogue and would continue to contribute to that goal, both directly and within its regional and political groups.

114. **Mr. Samvelian** (Armenia) said that his delegation had voted against the draft resolution for the same reasons it had given in 2014 following the vote on General Assembly resolution 68/262. Armenia had always been a staunch supporter of the promotion of democracy, fundamental freedoms and human rights and draft resolution A/C.3/71/L.26 had been introduced in the human rights context. Nevertheless, its references to the principle of territorial integrity, which was selectively applied at the expense of other principles of international law such as self-determination, went beyond the stated aim of the text. Armenia was unable to support an approach that introduced a hierarchy among the principles of international law.

115. **Ms. Ali** (Singapore) said that Singapore had always taken a consistent and principled position against country-specific resolutions as it considered them highly selective and driven by political rather than human rights considerations. The universal periodic review of the Human Rights Council was the appropriate mechanism for such resolutions. Accordingly, her delegation had abstained during the voting. However, that decision did not in any way derogate from or alter its position on General Assembly resolution 68/262, nor should it be

interpreted as taking a position on the human rights issues raised in the draft resolution.

116. **Mr. Warraich** (Pakistan) said that his delegation had abstained from voting, but without prejudice to its view that the draft resolution raised questions of international law that went beyond the scope and mandate of the Third Committee and should be left to the appropriate forums. Any other action would be counterproductive.

117. **Mr. Dehghani** (Islamic Republic of Iran) said that the continued selective adoption of country-specific resolutions in the Third Committee and their politicization breached the Charter of the United Nations and the principles of universality, objectivity and non-selectivity in addressing human right issues. It also undermined cooperation as the essential principle for promoting and protecting all universally recognized human rights, since such resolutions could only lead to confrontation and polarization. The Third Committee was not the right forum for discussing such highly politicized issues, which fell outside its mandate. For those reasons, his delegation had voted against the draft resolution.

Statements made in exercise of the right of reply

118. **Mr. Al-Mouallimi** (Saudi Arabia) said that he had no need to respond to the baseless claims made by the representative of the Syrian Arab Republic because the countries that had voted in favour of the draft resolution had already made the position of the wider international community in that regard abundantly clear. He thanked each and every one of those States for their valuable support. Regardless of the claims made by the representative of the Syrian regime, his country would continue to stand by its morally principled position.

119. **Mr. Dehghani** (Islamic Republic of Iran) said that the recent rapprochement and cooperation between Saudi Arabia and Israel could not be concealed by the misleading comments made by the representative of Saudi Arabia. The alleged link between Iran and Al-Qaida was another absurd and utterly baseless claim that was not worthy of rebuttal. Regarding Hizbullah, repeating a false accusation did not make it more credible, only more objectionable and tedious. Lastly, he wished to reaffirm that it was in everyone's interest to show a genuine willingness to live in peace and harmony with one's neighbours, as Iran had done through its policies and its actions.

120. **Mr. Qassem Agha** (Syrian Arab Republic) said that the position of Saudi Arabia was hardly a moral one: its hands were stained red with the blood of Syrian, Yemeni and all other peoples used as pawns to advance its brutal sectarian agenda.

Agenda item 106: Crime prevention and criminal justice (*continued*) (A/C.3/71/L.4/Rev.1)

Draft resolution A/C.3/71/L.4/Rev.1: United Nations African Institute for the Prevention of Crime and the Treatment of Offenders

121. **Mr. Manano** (Uganda), introducing the draft resolution on behalf of the Group of African States, invited the Committee to adopt it by consensus, as was the usual practice.

122. **Mr. Khane** (Secretary of the Committee) said that Austria and Italy had joined the list of sponsors.

123. *Draft resolution A/C.3/71/L.4/Rev.1 was adopted.*

Agenda item 63: Report of the Human Rights Council (*continued*) (A/C.3/71/L.46)

Draft resolution A/C.3/71/L.46: Report of the Human Rights Council

124. **Mr. Ntwaagae** (Botswana), introducing the draft resolution on behalf of the Group of African States, said that the draft resolution took note of the report of the Human Rights Council and called for the deferral, until the seventy-second session of the General Assembly, of consideration and action on Human Rights Council resolution 32/2 concerning protection against violence and discrimination based on sexual orientation and gender identity. That would allow the Group to determine the legal basis upon which the mandate of the special procedure established in resolution 32/2 would be defined and was not meant in any way to question the mandate and authority of the Human Rights Council to create special mandate holders. Instead, the draft resolution sought to give Member States time to come to a common understanding on the notion of sexual orientation and gender identity and to ensure that the mandate of the independent expert was grounded in internationally recognized human rights law. Since the Human Rights

Council was a subsidiary body of the General Assembly, the latter had the authority to review the mandates established by the Council to ensure that they were consistent with international law.

125. Calling on Member States to sponsor and vote in favour of the draft resolution, he also urged them to vote against any amendments that delegations might wish to put forward.

126. Lastly, he said that paragraph 2 of the resolution had been orally revised to read: "Decides to defer consideration of and action on Human Rights Council resolution 32/2 of 30 June 2016 on the protection against violence and discrimination based on sexual orientation and gender identity to its seventy-second session, in order to allow time for further consultations to determine the legal basis upon which the mandate of the special procedure established therein will be defined."

127. **Mr. Khane** (Secretary of the Committee) said that Pakistan, Qatar, the Russian Federation, Saudi Arabia and the United Arab Emirates had joined the list of sponsors of draft resolution A/C.3/71/L.46, as orally revised.

The meeting rose at 5.50 p.m.